

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:21-CR-6-D

UNITED STATES OF AMERICA,)
)
 v.)
)
 HERMAN FELTON, JR.,)
)
 Defendant.)

ORDER

On March 9, 2022, the court sentenced Herman Felton, Jr. ("Felton" or "defendant") to 60 months' imprisonment [D.E. 60, 68]. On March 18, 2022, defendant filed a pro se notice of appeal [D.E. 65]. On April 2, 2022, defendant filed a notice of appeal through counsel [D.E. 70]. The appeal remains pending. On April 4, 2022, defendant file a pro se motion to vacate sentence [D.E. 74]. In light of defendant's pending appeal, the court DENIES defendant's motion to vacate sentence [D.E. 74]. See, e.g., Fed. R. Crim. P. 37(a); Griggs v. Provident Consumer Disc. Co., 459 U.S. 56, 58 (1982) (per curiam); Griggs v. Provident Consumer Disc. Co., 459 U.S. 56, 58 (1982) (per curiam); United States v. Bunch, 828 F. App'x 185, 185 (4th Cir. 2020) (per curiam) (unpublished); United States v. Pawlowski, 967 F.3d 327, 329 n.4 (3d Cir. 2020); Doe v. Pub. Citizen, 749 F.3d 246, 258 (4th Cir. 2014); United States v. Sanders, No. 1:17-CR-29-HAB, 2020 WL 3268492, at *1 (N.D. Ind. June 17, 2020) (unpublished); United States v. Watts, No. CR 16-104, 2020 WL 3036545, at *2 (M.D. La. June 5, 2020) (unpublished); United States v. Belton, No. 5:18-CR-113-FL-1, 2020 U.S. Dist. LEXIS 75837, at *2 (E.D.N.C. Apr. 29, 2020) (unpublished).

SO ORDERED. This 4 day of May, 2022.


JAMES C. DEVER III
United States District Judge